

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 69161

Joahann Sharpinski

8244 Longpoint Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
AMENDED FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 9, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310; 13-7-201 (b); 35-5-302 (b)(1), failure to remove all junk, trash and debris, failure to store trash in cans with tight fitting lids, failure to raze or repair shed on residential property known as 8244 Longpoint Road, 21222.

On November 16, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Buc Thompson issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 7, 2009 for removal of trash and debris, storage of garbage in containers with tight lids, cut and remove tall grass and weeds, repair exterior structure, raze or repair shed in rear yard. This Citation was issued on November 16, 2009.

B. Photographs in the file show plastic garbage bags scattered in the rear and side yard. Some likely contain leaves, but at least one bag on the ground is partially inside a garbage can and likely contains garbage that is not properly stored in a can with a tight lid.

C. The large shed is in disrepair. Part of the siding is unpainted. The end door is not fastened into a doorframe. The roof shingles appear to be severely damaged. Respondent must keep all structures on these premises at least in conformance with county code standards, including keeping all exterior structures and surfaces "in good repair and in a structurally sound condition." BCC Section 35-5-302. The shed must be repaired or removed. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected, with all garbage properly stored in cans with tight lids and with the shed repaired or razed, by February 15, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

8244 Longpoint Road  
Page 3

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14<sup>th</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf